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Current Handling: n/a
Document Number: 1983BUENOS07296

10/17/83

Channel: n/a

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ACTION ARA-16

INFO OCT-00 COPY-01 ADS-00 AID-07 INR-10 SS-10 OIC-02
CIAE-00 EB-08 DODE-00 H-01 IO-15 NSCE-00 NSAE-00
SSO-01 HA-08 L-03 PM-08 PA-01 OMB-01 SIL-01
INRE-00 RP-10 USIE-00 SP-02 SR-06 SNP-01 PRS-01
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O 172034Z OCT 83
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 8978
INFO AMEMBASSY LIMA
AMEMBASSY MONTEVIDEO

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DEPT FOR ARA/SC, H, AND HA/HR

E.O. 12356: DECL:OADR
TAGS: SHUM, PINS, AR
SUBJECT: HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

1. [REDACTED] SUMMARY: AN UNNAMED GOVERNMENT OF ARGENTINA (GOA SOURCE TOLD THE PRESS ON OCTOBER 14 THAT THE NINE-YEAR OLD STATE OF SIEGE WOULD BE LIFTED ON OCTOBER 28, TWO DAYS BEFORE THE NATIONAL ELECTIONS, AND DETAINEES WHO HAVE BEEN HELD BY THE MILITARY GOVERNMENT UNDER STATE-OF-SIEGE POWERS WOULD BE GIVEN COMPLETE FREEDOM BEFORE OCTOBER 30. THE STORY HAS NOT BEEN CONFIRMED AND APPEARS TO BE BOTH MISLEADING AND INACCURATE. THE UNDERSECRETARY OF INTERIOR INFORMED US TWO WEEKS AGO THAT THE GOA MIGHT LIFT THE STATE OF SIEGE FOR ONLY 48 HOURS AND NOT RELEASE PEN PRISONERS AT THAT TIME. ON THE OTHER HAND, HE VAGUELY CONFIRMED THAT ALL PEN DETAINEES WOULD BE OUT, CHARGED OR PUT IN TRIAL STATUS BEFORE THE CIVILIAN TAKEOVER. A URUGUAYAN WOMAN WHO HAD BEEN MISSING IN ARGENTINA SINCE 1977, ADRIANA GATTI, HAS BEEN IDENTIFIED

[REDACTED]
[REDACTED]

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AS ONE OF THE CORPSES THAT WERE BURIED IN CHACARITA

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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/PS
Margaret P. Grafeld, Director
(X) Release () Excise () Deny
Exemption(s):
Declassify: () In Part (X) In Full
() Classify as () Extend as () Downgrade to
Date Declassify on Reason

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CEMETERY AS UNIDENTIFIED PEOPLE IN 1977. CELS REVEALED ON OCTOBER 14 THAT SHE WAS SHOT DEAD IN A SECURITY FORCES RAID IN 1977. THERE WAS CONGRESSIONAL INTEREST IN THAT CASE, SO THE DEPARTMENT MAY WISH TO NOTIFY SENATOR KENNEDY. END SUMMARY.

2. (U) ARGENTINE NEWSPAPERS OF OCTOBER 15 CARRIED STORIES BASED ON LEAKS OF THE DAY BEFORE FROM AN UNNAMED GOA SOURCE WHO SAID THAT THE STATE OF SIEGE THAT HAS BEEN IN EFFECT SINCE NOVEMBER 6, 1974, WOULD BE LIFTED ON OCTOBER 28, TWO DAYS BEFORE THE NATIONAL ELECTIONS.

3. [REDACTED] COMMENT: UNDER THE CONSTITUTION, ELECTIONS CANNOT BE HELD WHEN ARGENTINA IS UNDER A STATE OF SIEGE. IN THE PAST, A STATE OF SIEGE HAS BEEN LIFTED FOR ONLY 24 OR 48 HOURS TO COMPLY WITH THE CONSTITUTION WHEN ELECTIONS ARE HELD. SUBSEQUENTLY, THE STATE OF SIEGE HAS BEEN REIMPOSED. UNDERSECRETARY OF INTERIOR GUILLERMO LAZCANO QUINTANA IMPLIED TO MISSION OFFICERS ON SEPTEMBER 29 THAT THE GOA IS INCLINED TO REPEAT THIS PRACTICE, THAT IS, LIFT THE STATE OF SIEGE TEMPORARILY. END COMMENT.

4. (U) THE GOA SOURCE ALSO TOLD THE PRESS THAT ABOUT 450 DETAINEES, WHO HAVE BEEN HELD BY THE MILITARY GOVERNMENT UNDER STATE-OF-SIEGE POWERS, WOULD BE GIVEN COMPLETE FREEDOM BEFORE OCTOBER 30. THE "450" FIGURE INCLUDES 250 PEOPLE WHO ARE ALREADY OUT OF PRISON AND IN A STATUS ("LIBERTAD VIGILADA") SIMILAR TO OUR PAROLE. THE SOURCE SAID THERE WERE 199 SO-CALLED PEN DETAINEES ("PEN" IS THE SPANISH ACRONYM FOR THE EXECUTIVE BRANCH) STILL IN PRISON.
[REDACTED]
[REDACTED]

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5. [REDACTED] COMMENT: THIS UNNAMED SOURCE'S FIGURES APPEAR TO BE OUT OF DATE, WHICH CASTS ADDITIONAL DOUBT ON THE STORY. THE MINISTRY OF THE INTERIOR'S OFFICIAL FIGURES AS OF SEPTEMBER 29 SHOWED ONLY 141 PEN DETAINEES LEFT IN PRISON, AND WE SERIOUSLY DOUBT THAT THERE HAVE BEEN ANY PEN ARRESTS SINCE THEN. END COMMENT.

6. (U) A BREAKDOWN OF THE MINISTRY OF THE INTERIOR'S FIGURE OF 141 (AS OF SEPTEMBER 29) COMPARED WITH THE NEWS-

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PAPER STORIES' UNDATED FIGURES FOLLOWS:

	MINISTRY	NEWSPAPERS
SENTENCED	50	69
APPEALING TO THE SUPREME COURT	3	4
APPEALING TO THE COURT OF APPEALS	22	14
BEING TRIED	28	36
BEING HELD WITHOUT ANY CHARGES	38	36
TOTAL	141	159

THE NEWSPAPER STORIES DO NOT EXPLAIN WHY THEIR FIGURES DO NOT TOTAL 199, WHICH THEIR SOURCE CLAIMS IS THE NUMBER OF PEN DETAINEES REMAINING.

7. [REDACTED] ON SEPTEMBER 29, UNDERSECRETARY OF THE INTERIOR LASCANO QUINTANA INFORMED US THAT THERE IS RESISTANCE IN THE GOA TO FREEING MANY PEN PRISONERS AND SUGGESTED THAT THEY MAY BE HELD THROUGH THE BRIEF LIFTING OF THE STATE OF SIEGE, LEGAL NICETIES ASIDE. HE VAGUELY CONFIRMED THAT ALL PEN PRISONERS WOULD BE OUT, CHARGED, OR PUT INTO TRIAL STATUS BEFORE THE CIVILIAN TAKEOVER. IT REMAINS TO BE SEEN WHETHER THE LEAK REFLECTS A

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O 172034Z OCT 83
FM AMEMBASSY BUENOS AIRES
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CHANGE IN GOA ATTITUDES, IS A TRIAL BALLOON, OR IS A
PRESSURE TACTIC BY ONE FACTION IN THE REGIME.

8. (U) THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS)
CHARGED IN A PRESS CONFERENCE ON OCTOBER 14 THAT A 17-
YEAR-OLD URUGUAYAN WOMAN, ADRIANA GATTI CASAL, LISTED
AS DISAPPEARED IN ARGENTINA IN 1977, WAS KILLED IN A
RAID BY GOA SECURITY FORCES AND BURIED IN AN UNMARKED
GRAVE. GATTI WAS THE DAUGHTER OF A URUGUAYAN LABOR
LEADER WHO DISAPPEARED IN ARGENTINA, IN 1976. SHE HAD
STAYED IN ARGENTINA TO BE WITH HER ARGENTINE BOYFRIEND,
AND WAS SEVEN MONTHS PREGNANT AT THE TIME SHE
DISAPPEARED. AS A RESULT OF A LEGAL COMPLAINT FILED
BY CELS LAST YEAR AGAINST ALLEGEDLY IRREGULAR BURIAL
PRACTICES IN CHACARITA CEMETERY (82 BUENOS AIRES 6732),
[REDACTED]
[REDACTED]

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IT WAS CONFIRMED ON AUGUST 22 (BUT ONLY ANNOUNCED AT A
CELS PRESS CONFERENCE ON OCTOBER 14) THAT MISS GATTI
WAS ONE OF THE 76 CORPSES THAT HAD BEEN BURIED IN
CHACARITA CEMETERY AS UNIDENTIFIED PEOPLE IN 1977.
MISS GATTI'S MOTHER, WHO NOW LIVES IN EXILE IN MADRID,
RETURNED TO ARGENTINA TO CLAIM THE BODY AND TO TAKE IT
TO SFOR REBURIAL.

9. ACCORDING TO THE CELS INVESTIGATION, MISS GATTI WAS
KILLED DURING A JOINT RAID BY POLICE, AIR FORCE, AND
ARMY FORCES ON APRIL 9, 1977, DURING WHICH ANOTHER
PREGNANT WOMAN AND A MAN WERE ALSO SHOT DEAD. IN ITS
PRESS CONFERENCE, CELS MADE NO REFERENCE TO THE REASON
FOR THE JOINT RAID, OR TO WHETHER THE DECEASED HAD BEEN
SHOOTING BACK, ETC.

10. THE EMBASSY'S FILES SHOW THAT SENATOR KENNEDY WAS
INTERESTED IN THIS CASE IN 1977. THE DEPARTMENT MAY
WISH TO NOTIFY HIS OFFICE OF THE LATEST DEVELOPMENTS.
USHNELL

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